

HOUSE BILL 129
By Turner M

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 4, Part 10, relative to tuition credit or
reimbursement for persons in the military service
in certain circumstances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 4, Part 10, is amended by
adding the following language as a new section:

49-4-1007.

(a) As used in this section, the term:

(1) "Department" means the military department.

(2) "Military service" signifies federal service or active duty with any
branch of service heretofore referred to as well as training or education under the
supervision of the United States preliminary to induction into the military service.
The term "military service" also includes any period of active duty with the
national guard of the state of Tennessee pursuant to the orders of the President
of the United States or the Governor. The foregoing definitions shall apply both to
voluntary enlistment and to induction into service by draft or conscription.

(3) "Persons in the military service", includes the following persons and no
others: all members of the Army of the United States, the United States Navy, the
Marine Corps, the Air Force, the Coast Guard and all members of the Tennessee
National Guard called into the service or training of the United States of America
or of this state.

(b) Notwithstanding any other provision of law, rule 1540-1-6 promulgated by the
Tennessee higher education commission or any other rule or regulation to the contrary,

any person in military service with the national guard of the state of Tennessee or in federal active duty service pursuant to the orders of the President of the United States or the Governor has the right to receive a full monetary credit or refund for funds paid to any Tennessee institution within the board of regents or University of Tennessee system or the Tennessee foreign language institute, if the person is placed into a period of military service pursuant to the orders of the President of the United States or the Governor and is unable to attend the university or college for a period of seven (7) or more days. Withdrawal from the course shall not impact upon the final grade point average of the person. If any person who has been enrolled in such institutions is unable to process his or her enrollment for the upcoming term, he or she shall have any and all late penalties and or charges set aside, including any and all late processing fees for books, lab fees, and all items that were not in place because the person was engaged in military service and was unable to enroll in the courses at the appropriate time. The rights set forth in this section are in addition to any rights afforded to persons in military service with the national guard of the state of Tennessee or in federal active duty service pursuant to the orders of the President of the United States or the Governor under the policies of any Tennessee institution within the board of regents or University of Tennessee system or the Tennessee foreign language institute.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.